REMARKS

This amendment is in response to the Non-Final Office Action mailed February 27 2009 (the "Office Action"). Claims 1-4 and 13-22 are pending. Claims 1 and 19 have been amended. Support for the amendment to claims 1 and 19 may be found in the specification at least in Figures 1 and 5, and in paragraphs [0006], [0020] and [0021]. No new matter has been added.

Claim 1-4 are Allowable

The Office has rejected claims 1-4, under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 1 and claim 4 have been amended to change "terminating" and "terminated" to "disconnecting" and "disconnected." Applicants request that the §112 rejections be withdrawn.

Claims 13, 14, 16 and 19-21 are Allowable

The Office has rejected claims 13, 14, 16 and 19-21, under 35 U.S.C. 102(e), as being unpatentable over U.S. Pat. No. 7,127,049 ("Godse"). Applicants respectfully traverse the rejections.

The cited portions of Godse do not disclose or suggest the specific combination of claim 13. For example, the cited portions of Godse fail to disclose or suggest "a digital subscriber line (DSL) router including detection logic to detect the presence of a powered-on network capable device that is connected to the DSL router via a local network," as in claim 13. In contrast to claim 13, Godse discloses a system to enhance automation of activating network service between a customer modem and a central office modem. An element management system (EMS) runs a discovery application that polls each administratively-disabled DSL line for an ATU-R modem presence. The EMS is connected to the ATU-R modem by an access network. The polling is achieved by automatically enabling each of the disabled ATU-C modems at central offices, which retrain when an activated ATU-R modem is present. When an ATU-R modem is detected, the ATU-C remains enabled and the bandwidth and other characteristics are transmitted to the EMS. When an ATU-R modem is not detected, the result is sent to the EMS. *See* Godse, Abstract, col. 4, lines 18-58. The cited portions of Godse disclose an EMS that includes detection logic, but fail to disclose or suggest a DSL router that includes detection logic. In addition, the EMS is connected to the DSL router by an access network, which is a wide area

network. The EMS is not connected to the DSL router via a local area network. Therefore, the cited portions of Godse fail to disclose or suggest "a digital subscriber line (DSL) router including detection logic to detect the presence of a powered-on network capable device that is connected to the DSL router via a local network," as in claim 13. Hence, claim 13 is allowable. Claims 14 and 16 are allowable, at least by virtue of their dependence from claim 13. Further, the dependent claims recite additional elements not disclosed or suggested by the cited portions of Godse.

For example, the cited portions of Godse fail to disclose or suggest "wherein the DSL router terminates the network connection to the remote network over the digital subscriber line after detecting an absence of any network capable devices connected to the DSL router via the local network," as in claim 14. The cited portions of Godse describe that the EMS disables the ATU-C modem if an ATU-R modem is not detected, but fail to disclose or suggest that the DSL router terminates the network connection. For at least this additional reason, claim 14 is allowable.

The cited portions of Godse do not disclose or suggest the specific combination of claim 19. For example, the cited portions of Godse fail to disclose or suggest "a network capable device detection module in a housing of the DSL router, wherein the network capable device detection module is configured to determine whether a powered-on network capable device is connected to the DSL router on a local network," as in claim 19. In contrast to claim 19, Godse discloses a system to enhance automation of activating network service between a customer modem and a central office modem. An element management system (EMS) runs a discovery application that polls each administratively-disabled DSL line for an ATU-R modem presence. The EMS is connected to the ATU-R modem by an access network. The polling is achieved by automatically enabling each of the disabled ATU-C modems at central offices, which retrain when an activated ATU-R modem is present. When an ATU-R modem is detected, the ATU-C remains enabled and the bandwidth and other characteristics are transmitted to the EMS. When an ATU-R modem is not detected, the result is sent to the EMS. *See* Godse, Abstract, col. 4, lines 18-58. The cited portions of Godse disclose an EMS that includes detection logic, but fail to disclose or suggest a network capable device detection module in a housing of the DSL router. In addition, the EMS is connected to the DSL router by an access network, which is a wide area

network. The EMS is not connected to the DSL router on a local area network. Therefore, the cited portions of Godse fail to disclose or suggest "a network capable device detection module in a housing of the DSL router, wherein the network capable device detection module is configured to determine whether a powered-on network capable device is connected to the DSL router on a local network," as in claim 19. Hence, claim 19 is allowable. Claims 20 and 21 are allowable, at least by virtue of their dependence from claim 19. Further, the dependent claims recite additional elements not disclosed or suggested by the cited portions of Godse.

For example, the cited portions of Godse fail to disclose or suggest "wherein the DSL modem is further configured to terminate the connection to the remote network when no network capable device is connected to the DSL router on the local network," as in claim 21. The cited portions of Godse describe that the EMS disables the ATU-C modem if an ATU-R modem is not detected, but fail to disclose or suggest that the ATU-C modem is configured to terminate the network connection. For at least this additional reason, claim 21 is allowable.

Claims 17 and 18 are Allowable

The Office has rejected claims 17 and 18, under 35 U.S.C. 102(e), as being unpatentable over U.S. Pat. No. 7,032,012 ("Roh"). Applicants respectfully traverse the rejections.

The cited portions of Roh do not disclose or suggest the specific combination of claim 17. For example, the cited portions of Roh fail to disclose or suggest "a DSL router including lease assignment logic to dynamically assign a lease to a network capable device to permit subsequent connection to a remote network," as in claim 17. In contrast to claim 17, Roh describes that after a PPP session is connected between an ADSL modem and a network access server, information, such as a global IP address, local IP address, and DNS server address, is transferred to the ADSL modem regarding establishing a connection between a client PC and a remote network. *See* Roh, col. 6, lines 1-41. Roh also describes that the ADSL modem then transfers the global IP address, gateway address, DNS server addresses, and values for lease time and lease renewal times to the client PC. *See* Roh, col. 6, lines 31-47. The cited portions of Roh do not disclose making a network connection over a digital subscriber line after a lease has been assigned to a network capable device, because in Roh, a network connection to a DSL line must be made before a lease is assigned to a network capable device. In particular, a network connection must be established

in Roh before a lease is assigned to a network capable device since the lease information for a client PC is obtained by the ADSL modem from the NAS over a PPP connection. In addition, the Office admitted that Roh does not expressly disclose the digital subscriber line router including lease assignment logic to dynamically assign a lease to a network capable device to permit subsequent connection to a remote network. *See* Final Office Action mailed September 1, 2006, page 8. Therefore, the cited portions of Roh fail to disclose or suggest "a DSL router including lease assignment logic to dynamically assign a lease to a network capable device to permit subsequent connection to a remote network," as in claim 17. Hence, claim 17 is allowable. Claim 18 is allowable, at least by virtue of its dependence from claim 17. Further, claim 18 recites additional elements not disclosed or suggested by the cited portions of Godse.

For example, the cited portions of Roh fail to disclose or suggest "wherein the DSL router determines that the dynamically assigned lease has expired and terminates the network connection over the digital subscriber line after detecting that the lease has expired," as in claim 18. Roh describes that when there is no request from the client PC to renew a lease time of the global IP address during a time period, the DHCP server terminates the PPP-session. *See* Roh, col. 5, lines 49-54. The cited portions of Roh disclose that the DHCP server terminates the PPP-session, but fail to disclose or suggest that the DSL router terminates the network connection. For at least this additional reason, claim 18 is allowable.

Claims 1 and 15 are Allowable

The Office has rejected claims 1 and 15, under 35 U.S.C. 103(a), as being unpatentable over Godse in view of U.S. Pat. No. 6,711,162 ("Ortega"). Applicants respectfully traverse the rejections.

The cited portions of Godse and Ortega do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Godse and Ortega fail to disclose or suggest "disconnecting the network connection over the DSL line to the remote network after detecting an absence of one or more powered-on network capable devices of the at least one network capable device connected to the DSL modem on the local network," as in claim 1.

In contrast to claim 1, Godse describes a system to enhance automation of activating network service between a customer modem and a central office modem. *See* Godse, Abstract.

Godse describes an ATU-R modem coupled to a personal computer or other computing device. An element management system (EMS) turns on an ATU-C modem at a central office. The EMS detects the presence of the ATU-R modem. *See* Godse, col. 5, lines 4-10. Godse describes a local network including the PC or other computing device and the ATU-R modem. Godse also describes a wide area network including the ATU-R modem and the ATU-C modem. In Godse, the ATU-R modem corresponds to a DSL modem, and the system only detects if the ATU-R modem is powered-on. The cited portions of Godse fail to disclose or suggest detecting an absence of powered-on network capable devices such as the PC or other computing device. Therefore, the cited portions of Godse fail to disclose or suggest "disconnecting the network connection over the DSL line to the remote network after detecting an absence of one or more powered-on network capable devices of the at least one network capable device connected to the DSL modem on the local network," as in claim 1.

In further contrast to claim 1, Ortega describe a DSL modem that acts a proxy for service endpoints in a local network to provide route selection and protocol conversion for the service endpoints within the data network and includes user initiated termination of a connection with release of resources associated with the connection. *See* Ortega, Abstract and col. 11, lines 27-37. The cited portions of Ortega fail to disclose or suggest detecting an absence of a powered-on network capable device. Therefore, the cited portions of Ortega fail to disclose or suggest "disconnecting the network connection over the DSL line to the remote network after detecting an absence of one or more powered-on network capable devices of the at least one network capable device connected to the DSL modem on the local network," as in claim 1.

Therefore, the cited portions of Godse and Ortega, individually or in combination, fail to disclose or suggest the specific combination of claim 1. Hence, claim 1 is allowable.

Claim 15 depends from claim 13. As explained above, the cited portions of Godse fail to disclose or suggest at least one element of claim 13. The cited portions of Ortega fail to disclose or suggest the elements of claim 13 not disclosed or suggested by the cited portions of Godse. For example, the cited portions of Ortega fail to disclose or suggest "a digital subscriber line (DSL) router including detection logic to detect the presence of a powered-on network capable device that is connected to the DSL router via a local network," as in claim 13. In contrast to

claim 13, Ortega describes a DSL modem that acts as a proxy for service endpoints in a local network to provide route selection and protocol conversion for the service endpoints within the network and includes user initiated termination of a connection with release of resources associated with the connection. *See* Ortega, Abstract and col. 11, lines 27-37. The cited portions of Ortega fail to disclose or suggest a DSL router including detection logic. Therefore, the cited portions of Godse and Ortega, individually or in combination, fail to disclose or suggest at least one element of claim 13, from which claim 15 depends. Hence, claim 15 is allowable.

Claims 2-4 and 22 are Allowable

The Office has rejected claims 2-4 and 22, under 35 U.S.C. 103(a), as being unpatentable over Godse in view of Roh. Applicants respectfully traverse the rejections.

Claims 2-4 depend from claim 1. As explained above, the cited portions of Godse fail to disclose or suggest at least one element of claim 1. The cited portions of Roh fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Godse. For example, the cited portions of Roh fail to disclose or suggest "disconnecting the network connection over the DSL line to the remote network after detecting an absence of one or more powered-on network capable devices of the at least one network capable device connected to the DSL modem on the local network," as in claim 1. In contrast to claim 1, Roh describes a single client PC connected to an ADSL modem in order to provide a data connection between the client PC and a network access server. *See* Roh, Figures 2 and 4, and col. 2, lines 50-60. The cited portions of Roh fail to disclose or suggest detecting the presence of a powered-on network capable device. Therefore, the cited portions of Godse and Roh, individually or in combination, fail to disclose or suggest at least one element of claim 1, from which claims 2-4 depend. Hence, claims 2-4 are allowable.

Claim 22 depends from claim 19. As explained above, the cited portions of Godse fail to disclose or suggest at least one element of claim 19. The cited portions of Roh fail to disclose or suggest the elements of claim 19 not disclosed or suggested by the cited portions of Godse. For example, the cited portions of Roh fail to disclose or suggest "a network capable device detection module in a housing of the DSL router, wherein the network capable device detection module is configured to determine whether a powered-on network capable device is connected to the DSL

router on a local network," as in claim 19. In contrast to claim 19, Roh describes a single client PC connected to an ADSL modem in order to provide a data connection between the client PC and a network access server. *See* Roh, Figures 2 and 4, and col. 2, lines 50-60. The cited portions of Roh fail to disclose or suggest a network capable device detection module in a housing of a DSL router. Therefore, the cited portions of Godse and Roh, individually or in combination, fail to disclose or suggest at least one element of claim 19, from which claim 22 depends. Hence, claim 22 is allowable.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date

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